

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

SOUTHWEST CASINO AND)	
HOTEL CORP.,)	
)	
Plaintiff,)	
)	
vs.)	Case Number CIV-07-949-C
)	
(1) DARRELL FLYINGMAN, an)	
individual;)	
(2) DORIS THUNDERBULL, an)	
individual;)	
(3) JOHN DOE NO. 1, an unknown)	
individual; and,)	
(4) JOHN DOE NO. 2, an unknown)	
individual,)	
)	
Defendants.)	

ORDER

Pursuant to the Court's Order entered on December 2, 2008, Plaintiff was required to submit proof that it instituted its claims for conversion (Count I), tortious interference with contract (Count III), defamation (Count IV), and conspiracy (Count V) in the Cheyenne-Arapaho Tribal Court within sixty days. Because such proof has not been filed, Defendants filed a Motion to Dismiss with Prejudice on February 3, 2009, requesting that the Court dismiss Plaintiff's remaining claims. The deadline for Plaintiff to submit a response to this motion was February 23, 2009, and no response was filed. Therefore, Defendants filed a Request for Summary Disposition under LCvR7.1(g).

Because nearly ninety days have passed without Plaintiff providing the requisite proof to the Court, or some explanation as to why the proof has not been provided, Plaintiff's

remaining claims will be dismissed with prejudice. Accordingly, Defendants' Motion to Dismiss with Prejudice (Dkt. No. 53) and Defendants' Request for Summary Disposition (Dkt. No. 55) are GRANTED. Judgment will be entered accordingly.

IT IS SO ORDERED this 25th day of February, 2009.



ROBIN J. CAUTHRON
United States District Judge